

Marion Board of Water and Sewer Commissioners

REVISED 3/19/02
Sewer System Policies

Whereas:

The Wastewater Treatment Plant capacity is a limited resource;

- The Town of Marion has an existing sewer collection system and wastewater treatment plant (WWTP).
- The WWTP capacity is limited. The current sewer flows to the wastewater treatment plant are close to the permitted discharge flow (0.5 million gallons per day).
- The sewer collection system cannot be expanded beyond the permitted capacity of the WWTP. Extension or expansion of the sewer collection system will require that the treatment plant be expanded, and that the Town obtain a revised permit from EPA and the Massachusetts Department of Environmental Protection (DEP). EPA and DEP have indicated that the agencies will consider an increase in plant capacity if the level of waste treatment is improved. The EPA and DEP have not determined a maximum potential discharge from the Marion WWTP.

The Town has identified the portions of Marion that may need sewer service in the Facilities Plan;

- The Town has undertaken an evaluation of the town's wastewater needs for the next 20 years in the Wastewater Facilities Plan, as required by DEP.
- This plan identifies certain developed areas of town that may need to be provided with sewers ("needs areas"). The identification of these areas is based upon the soils, groundwater conditions, past on-site system problems, potential ability to meet state Title 5 regulations, population density, lot sizes, and other factors.
- Based on this study, other areas in Marion should generally be able to be served by on-site septic systems. Additionally, other areas in Marion are less dense, and providing sewers to these areas would likely be significantly more expensive to property owners than maintaining and upgrading Title 5 systems as may be required over time.

And, The sewer system should be managed consistent with the Town's other goals and policies, including the Growth Management Policy,

- In general, expansion of the sewer collection system may lead to an increased density and/or pace of land development in those areas. The increased land development may tax Town resources (such as schools) and/or detract from the rural, village character desired by Town residents.
- WWTP capacity should be made available to existing residents that are experiencing problems, before serving new development.

Therefore:

The Board of Water and Sewer Commissioners adopts the following policies concerning extension or expansion of the sewer system:

1. The Town shall reserve all WWTP capacity for properties that are within the existing service area and have a legal right to connect.
2. The Town shall provide sewer service to the three needs areas identified in the Facilities Plan, if a majority of voting property owners in each area votes for such service as a betterment, and shall seek to expand the WWTP and its permit as required.
3. Any extension of the sewer system, plus any capacity or permit increase for the WWTP that is needed as a result of such extension, shall be paid entirely by betterments assessed on the properties so served.
4. It is the intent of the Board to avoid any extension of the Town sewer collection system beyond the three needs areas identified in the Facilities Plan. Such further extension would necessitate enlargement of the WWTP and seeking a further increase in the permitted discharge flow from EPA and DEP.
5. For the remainder of Marion, the alternatives for wastewater treatment shall include
 - (1) on-site septic systems in accordance with Title 5 and as permitted by the Board of Health, and/or
 - (2) neighborhood-scale wastewater collection and treatment systems (also termed cluster systems or satellite systems).
6. The extension of the Town sewer collection system to serve a neighborhood outside the official sewer system map shall be considered a last resort, after the other alternatives have been demonstrated to be infeasible, and if an increase in the WWTP permitted discharge flow can be obtained if needed.
7. Connection of only individual properties close to the existing system may be considered by the Board according to the procedures and criteria outlined in the sewer regulations, for reasons of health and financial hardship.
8. No private sewer systems shall be allowed to connect to the Town's wastewater collection and treatment systems.

TOWN OF MARION

SEWER USE REGULATIONS

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SEWER USE REGULATIONS

REGULATIONS OF THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S): IN THE TOWN OF MARION, COUNTY OF PLYMOUTH AND STATE OF MASSACHUSETTS .

Be it enacted by the Board of Water and Sewer Commissioners of the Town of Marion, State of Massachusetts as follows:

ARTICLE I

Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- Sec. 1. "The Applicant" shall mean any person requesting approval to discharge wastewaters into a public sewer or sewage works.
- Sec. 2. "Best Management Practices"—Practices such as preventive maintenance, scheduling of activities, or process alterations which enable the user to comply with the provisions of this ordinance or any applicable state and/or federal guidelines.
- Sec. 3. "Board" shall mean the Town of Marion Board of Water and Sewer Commissioners.
- Sec. 4. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C., expressed in milligrams per liter.
- Sec. 5. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge of waste from pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
- Sec. 6. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Sec. 7. "Compatible Pollutants"—Wastewater constituents for which the Publicly Owned Treatment Works (POTW) was designed or is operated to adequately treat.
- Sec. 8. "Common Sewer Connection" shall mean a sewer connection that serves two or more properties all of which are within the Sewer Service Area and is specifically approved in accordance with Article II Section 6.
- Sec. 9. "Current Valid Lot" shall mean a lot that is located in the Sewer Service Area and that either (a) had a developed use (e.g., residence) as of April 15, 2002, or (b) meets the minimum frontage requirement of zoning in effect on the date of application with the minimum frontage being located on the public road containing the public sewer to which the property is to be connected.

Sewer Use Regulations

- Sec. 10. "Domestic Wastes"—The liquid wastes (A) from the non-commercial preparation, cooling and handling of food or (B) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and/or institutions.
- Sec. 11. "Drain Layers License" shall mean an authorization by the Board of Water and Sewer Commissioners issued to a contractor to perform work on the sanitary sewer system. Drain Layers licenses shall be required for all work greater than 10 feet outside of a building wall.
- Sec. 12. "Excessive"—Amounts or concentrations of a constituent of a wastewater which in the judgment of the Board: (A) will cause damage to any town facility; (B) will be harmful to a wastewater treatment process; (C) cannot be removed in the town treatment works to the degree required to meet the discharge permit; (D) can otherwise endanger life, limb or public property; or (E) can constitute a nuisance.
- Sec. 13. "Facilities"—Structures and conduits for the purpose of collecting, treating, neutralizing, stabilizing or disposal of domestic wastewater and/or industrial or other wastewaters including treatment and disposal works, intercepting sewers, outfall and outlet sewers, pumping stations and all equipment and furnishings integral therewith.
- Sec. 14. "Force Main" – A pipe carrying pressurized sewage flow from a public pumping station. (A grinder pump serving an individual property is not considered a public pumping station.)
- Sec. 15. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- Sec. 16. "Grab Sample"—A sample which is taken from a wastestream on a one-time basis with no regard to the flow of the wastestream and without consideration of time.
- Sec. 17. "Holding Tank Waste"—Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.
- Sec. 18. "Indirect Discharge"—The discharge or the introduction of non-domestic pollutants from any source into the POTW; (including holding tank waste discharged into the system).
- Sec. 19. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from domestic wastes.
- Sec. 20. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- Sec. 21. "Oil and Grease"—Any material (animal, vegetable or hydrocarbon) which is extractable from an acidified sample of a waste by Freon or other designated solvent and as determined by the appropriate standard procedure.
- Sec. 22. "Pass-Through"—The discharge of pollutants through the POTW in quantities or concentrations which alone or in conjunction with discharges from other sources are a cause of a violation of any requirement of the POTW's discharge permit (including an increase in the magnitude or duration of a violation).
- Sec. 23. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

- Sec. 24. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Sec. 25. "Private Sewer Extension" – A sewer extension serving more than one property that was constructed by a person other than the Town and for which the Town has not subsequently accepted ownership; not including a common sewer connection.
- Sec. 26. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, and no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- Sec. 27. "Property" shall mean a parcel of land.
- Sec. 28. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Sec. 29. "Publicly Owned Treatment Works" or "POTW"—The town-owned wastewater treatment plant including all sewers and pumping stations used to convey wastewater to the treatment plant. Also includes all piping and facilities associated with the disposal of treated effluent and sewage sludge.
- Sec. 30. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.
- Sec. 31. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.
- Sec. 32. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- Sec. 33. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Sec. 34. "Sewer Connection" shall mean a connection of a building sewer to a public sewer.
- Sec. 35. "Sewer Extension" shall mean an extension of the sewer system to serve multiple properties.
- Sec. 36. "Sewer Service Area" – Geographical area in which public sewer service is or will be available, shown on an official map adopted by the Board and a copy of which shall be posted at Town Hall. The Core Service Area is the portion of the sewer service area that is served by public sewer service as of April 15, 2002. The Expansion Service Area is the portion of the sewer service area in which the Town plans to provide sewer service by the construction of new sewer extensions.
- Sec. 37. "Shall" is mandatory; "May" is permissive.
- Sec. 38. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.
- Sec. 39. "Storm Drain" (sometimes termed "Storm Sewer") shall mean a conduit which carries storm and surface waters and drainage, but excludes sewage and industrial wastes.

Sewer Use Regulations

- Sec. 40. "Superintendent" shall mean the Superintendent of the Department of Public Works in the Town of Marion or his authorized deputy, agent or representative.
- Sec. 41. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- Sec. 42. "Town" shall mean the town of Marion.
- Sec. 43. "Wastewater"—The spent water of a community which may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water and stormwater that may be present.
- Sec. 44. "Wastewater Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- Sec. 45. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II

Building Sewers and Connections

- Sec. 1. **Prohibitions.** No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Board. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Board in writing at least forty-five (45) days prior to the proposed change or connection. No person shall break, cut or remove any pipe of the of the public sewer system, or make any connection to the sewer system except through connection branches specifically provided for that purpose, or by method approved by the Board where no connection branch exists.
- Sec. 2. **Prohibition of Surface Runoff Connections.** Connection of sump pumps, roof downspouts, exterior foundation drains, area or driveway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer, are prohibited.
- Sec. 3. **Eligibility for Connection.** A property that is not connected to the public sewer as of April 15, 2002 shall be eligible to apply for a permit for connection to the public sewer system if it meets these three requirements:

(1) the property is located in the Sewer Service Area, and

(2) the property is a Current Valid Lot, and

(3) if a residential property in the Expansion Service Area, no portion of the property is located within the velocity zone of the 100-year floodplain, or if a portion of the property is within the velocity zone the building to be served is not within the velocity zone or the building to be served was in existence as of the original date of adoption of these regulations and cannot be expanded within or into the velocity zone.

Properties in an Expansion Service Area may be connected to the public sewer only upon completion of the sewer line in that Expansion Service Area.

Each existing connection and current valid lot shall be entitled to connect and discharge into the sewer line as follows:

- the design flow capacity in place as of April 15, 2002, plus 110 gallons per day for future additional expansion
- a maximum of 440 gallons per day for new construction after April 15, 2002.

Property owners of nonresidential connections may apply to the Board for an increase in the design flow capacity. The Board may allow an increase in the connection flow above 440 gpd per connection for nonresidential connections, subject to a finding that the sewer line and sewage works have adequate capacity.

The Board may amend the Sewer System Area map by a unanimous vote to add only individual properties close to the existing system, for reasons of health or financial hardship. A map amendment may be requested by a property owner, the Board, the Board

of Health, or the Council on Aging. Any request for a map amendment shall clearly identify the property to be added, the reason for the request, the public health conditions of the property, the financial considerations, and a map showing the sewer connection and any additional lots that could be affected. The Board shall consult with the Board of Health and the Department of Public Works concerning any map amendment.

Sec. 4. **Sewers to Serve Single Property.** Except as provided below, no sewer connection shall serve more than one property, except: two or more property owners may apply in writing to the Board for permission to build a common building sewer, only in cases where the distance between each houses and the town sewer is greater than 200 feet and where the owners demonstrate adequate provisions for the long-term access, operation, and maintenance of the proposed common building sewer.

Sec. 5. **Separate Sewer Connections.** Except as provided below, a separate and independent sewer connection shall be provided for every building; except that accessory buildings (such as a garage or a barn or a properly approved in-law apartment) on the same lot may be connected to the primary use building (such as a residence).

Sec. 6. **Common Sewer Connection.** In cases where the distance from the nearest building to the town sewer is greater than 200 feet, the Board may allow connection of a common sewer connection to service two or more buildings, where such common sewer connection would serve one or more lots all of which are in the Sewer Service Area and all of which are individually eligible for connection under Section 3, and where such common sewer connection would be in lieu of separate individual sewer connections. The owner or owners must demonstrate adequate provisions for the long-term operation and maintenance of the proposed common sewer connection. The applicant for a common sewer connection shall grant to the Town a permanent easement, in a form satisfactory to the Town, giving the Town the right to enter onto property, and to access, maintain, and repair the sewer connection, and any related equipment including force mains and pumps; and including an obligation running with the land requiring the owner or owners to indemnify the Town for its costs in accessing, maintaining, or repairing the sewer connection, and related equipment.

Sec. 7. **Connection to Force Mains.** Where connection of a building to a public gravity or low pressure sewer is not possible, the Board may allow connection by a force main. In such a case, the property owner shall apply for such permission in writing to the Board and must agree to design and construction requirements established by the Department of Public Works for the connection.

Sec. 8. **Permits.** There shall be three (3) classes of sewer permits: (a) for building of new residential and commercial service, (b) for operation of private sewers serving two or more properties, and (c) for building of new service to establishments producing industrial wastes. In all cases, the owner or his agent and a Licensed Drain Layer if applicable shall prepare and submit to the Board a Sewer Connection Permit Application (Attachments A, B, and C). The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Board. A permit and inspection fee as determined by the Board shall be paid to the Town at the time the application is filed. The applicant must sign the permit application. Applicants for permits (a) and (c) must include identification of and signatures of the licensed Drain Layer authorized by the applicant to perform the work.

- Sec. 9. **Existing Private Sewer Extensions.** All private sewer extensions, including those constructed prior to the original date of adoption of these regulations, shall require a permit to continue discharging into the public sewer system. Owners of existing private sewer extensions shall file a permit application by December 31, 2002.
- Sec. 10. **Installation Cost Borne by the Owner.** All costs and expense incident to the installation and connections of the building sewer, including inspection costs incurred by the Board, shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- Sec. 11. **Method of Construction.** Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

A minimum of 6-inch pipe shall be used for all building sewers.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the town. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.E.F. Manual of Practice No. 8 shall apply, except only PVC type SDR 35 with bell and spigot or ductile iron class 52 with push-on joints pipe shall be used.

All joints shall be watertight and gas tight.

No building sewer shall be connected to the public sewer unless said building has a soil pipe extended to the top of the building, properly vented.

All pipe shall be laid on a twelve (12") crushed stone (3/4-inch stone) bed extending to one foot above the crown of the pipe to the full trench width. In instances where groundwater may back up in the basement, a well-compacted backfill seal shall be placed around the building sewer at the face of the building. Backfill above the crushed stone shall be placed in 12-inch lifts and well compacted. No backfill shall be placed until work has been inspected by the Board or its authorized agent.

All excavations for building sewer installation shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, pathways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town.

When water is present in the trench, a sump of crushed stone shall be constructed and water shall be pumped, in accordance with all applicable Conservation Commission regulations and requirements. The trench shall be kept dry at all times during construction. At no time shall groundwater in the trench be allowed to enter the sewer system.

At times when pipe installation is not in progress, the open ends of the pipe shall be closed with temporary, watertight plugs.

The connection of the building sewer into the public sewer shall be made at the "Y" connection. If no branch is available, a connection may be made by tapping the existing sewer, following approval of the Board. Cutting a hole in the pipe by hand is prohibited.

The applicant for the building sewer permit shall notify the Board when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Board or his representative.

- Sec. 12. **Notification of Commencement of Work.** The board or its duly authorized agent shall be notified at least forty-eight (48) hours prior to the beginning of any work on a building sewer.
- Sec. 13. **Notification of Completion of Work.** Notification of completion of work with certification that all conditions have been complied with shall be filed in writing to the Board within twenty-four (24) hours after completion of the work covered in each permit.
- Sec. 14. **Reporting of Prohibited Substances.** All Drain Layers are required to give a full written report to the Board within twenty-four (24) hours of the detection of a prohibited substance, as defined in Article III, found in a building sewer during the course of the work.
- Sec. 15. **Licensing Drain Layers.** All Drain Layers are required to obtain a license from the Board prior to performing any work in town. All licenses shall be issued for a one-year period with renewal required on January 1st of each year. The licensing fee shall be \$150 annually. In applying for a license, the Drain Layer shall provide the license application (Attachment C) and all information required by the Board including, but not limited to, a statement that the licensee shall supervise and be responsible for all work performed under the license. All Drain Layer applicants shall also provide the Board a list of communities in which they are currently licensed with references and telephone numbers, list of their last ten (10) building sewer installations with references and telephone numbers, list of currently owned construction equipment, number of employees, and all other pertinent information that the applicant may believe is appropriate for review by the Board.

The licensee shall file with the Board, a certificate of insurance in with general liability coverage in the amount of no less than \$1,000,000 and statutory Workmen's Compensation; all of which shall remain in full force and effect for a period of at least one (1) year from the date of license approval. No insurance policy shall be canceled without thirty (30) days prior written notice to the Board. Said insurance shall identify the town as an additional insured for all claims, liabilities, or actions for damages incurred in, or in any way connected with, any acts or omissions of the licensee.

A deposit shall be paid by each licensee to the Town of Marion, in the amount of \$300 per permit, up to a maximum of \$1,500 per calendar year. Upon notification by the Board that deficiencies exist for any work undertaken during the immediately preceding 18-month period, failure by the licensee to remedy said deficiencies within twenty-four (24) hours of notification by the Board, shall result in the Board authorizing others to remedy the deficiencies. The amount incurred to make corrections shall be deducted from the deposit and forfeited by the licensee. The remaining balance of any such deposits shall be refunded to the licensee by July 1st of the following calendar year.

No person duly licensed by the Board to construct building sewers and make connections to public sewers shall allow his name to be used by any other person, either for the purpose of doing work under his license or for obtaining permits.

Sewer Use Regulations

All building sewer installation work shall only be performed by Licensed Drain Layers....

Applications for permits must be signed by both the Licensed Drain Layer and the property owner.

A Drain Layer violating any provision of these regulations shall, by vote of the Board, have his license suspended for one (1) year. In addition, general penalties provided for the violation of these regulations may also apply.

All Drain Layers requesting authorization by the Board of Water and Sewer Commissioners to install grinder pump systems shall also be required to attend a 4-hour installation training session conducted by the grinder pump manufacturer and scheduled by the Board of Water and Sewer Commissioners.

ARTICLE III

Use of the Public Sewers

- Sec. 1. **Disposal of Unpolluted Water Prohibited.** No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- Sec. 2. **Discharge of Stormwater.** Stormwater, industrial cooling water, unpolluted process waters, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Board and/or other state or local regulatory agencies. A discharge to a natural outlet may require a National Pollutant and Discharge Elimination System (NPDES) permit.
- Sec. 3. **Prohibited Discharges.** No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
- a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
 - c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ash, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
 - e) Septage may not be discharged into the sewer system.
 - f) Sludges from industrial pretreatment facilities.
- Sec. 4. **Controlled Wastes.** No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Board that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving ground water, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Board will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- a) Any liquid or vapor having a temperature higher than one hundred fifty (150) °F (65 °C).
- b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty two (32) and one hundred fifty (150) °F (0 and 65 °C).
- c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 metric) or greater shall be subject to the review and approval of the Board.
- d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive disinfection requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Board for such materials.
- f) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Board as necessary, after treatment of the composite sewage to meet the requirement of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.
- g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Board in compliance with applicable State or Federal regulations.
- h) Any waters or wastes having a pH in excess of 9.5.
- i) Materials which exert or cause:
 - 1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - 2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - 3) Unusual BOD, chemical oxygen demand, or disinfection requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - 4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 5. **Decisions of the Board.** If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the

characteristics enumerated in Section 4 of this Article, and which in the judgment of the Board may have a deleterious effect upon sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Board may:

- a) Reject the wastes,
- b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- c) Require control over the quantities and rates of discharge, and/or
- d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

If the Board permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Board, and subject to the requirements of all applicable codes, ordinances, and laws.

- Sec. 6. **Grease, Oil, and Sand Interceptors.** Grease, oil, and sand interceptors shall be provided when, in the opinion of the Board, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Board and shall be located as to be readily and easily accessible for cleaning and inspection. Each restaurant shall have an approved grease trap. Each gas station shall have an approved fuel trap. Each car wash shall have an approved sand trap.
- Sec. 7. **Maintenance of Pretreatment Facilities.** Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- Sec. 8. **Control Manholes and/or Structures.** When required by the Board, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Board. The manhole shall be installed and maintained by the owner at his expense.
- Sec. 9. **Wastewater Sampling.** All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH levels are determined from periodic grab samples.)

- a) All industries discharging into a public sewer shall perform such monitoring of their discharges as the Board and/or other duly authorized employees of the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Board. Such records shall be made available upon request by the Board to other agencies having jurisdiction over discharges.

Sec. 10. **Agreement between Town and Industry.** The provisions of these regulations shall not be construed as preventing any special agreement or arrangement between the Town and any industrial concern pursuant to which an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern.

Sec. 11. **Notice of Accidental Discharge.** Any person responsible for, or becoming aware of, the discharge to a public sewer, accidental or otherwise, of any prohibited substance or slug as defined herein, shall report same immediately to the Board so the necessary precautions can be taken to minimize the deleterious effects of the discharge. Said person shall file a full written explanation to the Board within twenty-four (24) hours of the accidental discharge detailing the cause as well as what measures will be taken to ensure future accidental discharges are prevented.

ARTICLE IV

Industrial Wastes

- Sec. 1. **Board Approval Required.** All Persons proposing to discharge Industrial Wastes into any Public Sewer shall submit a permit application (see Attachment B) to, and receive approval from, the Board prior to initiating discharge to the Sewage Works. A permit and inspection fee, as determined by the Board, shall be paid to the town at the time the application is filed.
- Sec. 2. **Industrial Wastes Reports.** All Persons proposing to discharge Industrial Wastes into the Public Sewer shall submit a written report with the permit application, and periodic reports thereafter as required by the Board. Said reports shall include measurements and analyses of the Industrial Wastes and shall include (1) a certification as to its accuracy by a qualified and competent professional performing the measurements and analyses, and (2) a statement by an authorized representative of the industry indicating that the reported data were representative of normal operations at his plant. An authorized representative shall be a principal executive officer of a corporation, a general partner in a partnership, or a proprietor of a sole proprietorship.
- Sec. 3. **Measurements and Analyses.** Measurements and analyses of Industrial Wastes are to include the following list, at a minimum, where applicable. If any item is not applicable, it shall be so stated on the report of the measurements and the reason for deletion stated. Items shall be deleted only with prior approval of the Board. The Board may require additional testing, analysis, and measurements.

Physical Parameters

pH
Temperature
Color
Specific Conductance

Physical Parameters

Total solids
Total volatile solids
Total suspended solids
Total volatile suspended solids
Total dissolved solids
Acidity
Alkalinity
5-day BOD
COD
TOC
TOD
Oil and Grease
Chloride

Sewer Use Regulations

Sulfide
Sulfate
Phenols
NH₃ (as N)
NO₃ (as N)
NO₂ (as N)
Total Kjeldahl Nitrogen
Orthophosphate (as P)
Total phosphorus (as P)
Hydrocarbons
Asbestos compounds
Pesticides
Benzene
Herbicides
Cyanides
Priority Pollutants
Esters
Cr, Cu, Cd, Fe, Pb, Mn, Zn, F, As, Hg, Ni, Ag

Sec. 4. **Flow Measurement.** For all industries with an average Sewage flow of less than 3,000 gallons per day, flow shall be measured with a sealed water meter on the water supply line. For all industries with an average Sewage flow of 3,000 gallons per day or more, a Sewage flow measuring device of a type approved by the Board shall be installed and maintained by the Owner at his expense for the purpose of Sewage flow measurement.

Sec. 5. **Applicant Agreement Required.** All applications to discharge any Industrial Wastes, drainage substances, or wastes directly or indirectly into any Sanitary Sewer under the control of the Board or tributary thereto, shall be accompanied by an agreement stating that the Applicant agrees to abide by all By-Laws, ordinances and rules and regulations of the town, that the Applicant will provide such works for the pretreatment of the industrial Wastes, drainage, substances or wastes as may be required by the Board, and that the Applicant will permit the Board to enter the premises of the industry to sample and measure the Sewage, as needed, to check the characteristics of the Sewage, when so determined and directed by the Board.

Sec. 6. **No Expense to town.** All requirements of this Article shall be satisfied at no expense to the town.

ARTICLE V

Protection from Damage

- Sec. 1. **Prohibited Acts.** No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works.
- Sec. 2. **Trespass.** No unauthorized person shall enter or remain in or upon any land or structure of the sewage works. Any person violating this provision shall be subject to charges of trespass.

ARTICLE VI

Powers and Authority of Inspectors

- Sec. 1. **Inspection by the Board, EPA, and State.** The Board, the United States Environmental Protection Agency, and the Massachusetts Department of Environmental Protection, bearing proper credentials and identification, shall be permitted to enter, at reasonable times, all properties connected to the public sewer system for the purposes of inspection, observation, sampling, measurement, and testing, all in accordance with these rules and regulations. They may inquire into any process including metallurgical, chemical, oil refining, ceramic, paper, plating, textile, painting, laundry, or other industrial activity that contributes waters or wastes to the public sewer system, but shall not order or demand information concerning any patented process or trade secret beyond that necessary to determine the kind, source, and amount of wastewater discharged into the public sewer system.
- Sec. 2. **Accessibility to Easements.** The Board and other duly authorized employees of the Town bearing proper credentials and identification, shall be permitted to enter all private properties through which the Town holds an easement for the purposes of the easement, including, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement.

ARTICLE VII

Penalties

- Sec. 1. **Written Notice of Violation.** Any person found to be violating any provision of this ordinance shall be served by the Board with written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- Sec. 2. **Penalty for Continued Violation.** Any person who shall continue any violation beyond the time limit provided for in Article VII, Section 1, shall be fined in the amount not exceeding three hundred dollars (\$ 300.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- Sec. 3. **Liability.** Any person violating any of the provisions of this regulation shall become liable, to the town for any expense, loss, or damage occasioned by the town by reason of such violation.

ARTICLE VIII

Validity

- Sec. 1. **Repeal of Conflicting Regulations.** All regulations of the Board of Water and Sewer Commissioners in conflict herewith are hereby repealed.
- Sec. 2. **Invalidation of Sections.** The invalidity of any section, clause, sentence, or provisions of this regulation shall not effect the validity of any other part of this regulation which can be given effect without such invalid part or parts.

ARTICLE IX

Regulation in Force

Sec. 1. **Regulation in Force.** This regulation shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

Passed and adopted by the Board of Water and Sewer Commissioners of the Town of Marion, State of Massachusetts on the _____ day of _____ (month) in the year 2002 following public notification and comment at a Public Hearing which took place on the _____ day of _____ (month) in the year 2002.

Attachment A

Town of Marion
Department of Public Works

2 Spring Street, Marion, Massachusetts, 02738
(508) 748-3541

**Sewer Connection Application for
Residential & Commercial Buildings**

To the MARION DEPARTMENT OF PUBLIC WORKS,
COMMONWEALTH OF MASSACHUSETTS

I _____ hereby request a permit to install and connect the
(Applicant) (Property Owner)

property located at _____
(Number) (Street)

to the public sewer system within the town of Marion. The property is a _____

_____ establishment.
(Residence) (Commercial Building) (etc.)

1. If a residence, how many family living units will use the sewer connection _____
Number of bedrooms ____ toilets ____
2. The name, address, and license number of the person or firm who will perform the proposed work is: _____

3. Plans and specifications for the proposed building sewer are attached hereto as Exhibit "A".
4. An application fee for \$ _____ is attached to this application.
5. Property owner is responsible for obtaining any additional permits that may be required for the sewer connection, such as from the Massachusetts Department of Environmental Protection (DEP). (Note: An individual single family residence does not require an additional DEP permit.)

Attach DEP permit, or permit application with date filed, to this application.

Sewer Use Regulations

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE UNDERSIGNED PROPERTY OWNER AGREES:

1. To accept and abide by all provisions of the Rules and Regulations governing the use of sewers of the Town of Marion, and all other pertinent rules and regulations that may be adopted in the future.
2. To pay all the costs of said building sewer and its connection to the public sewer in said street, including all labor and materials or other expenses incurred necessary for the proper construction of said building sewer as determined by the Town of Marion.
3. To maintain the building sewer at no expense to the Town of Marion.
4. That the Town of Marion shall have access at all reasonable hours, to said premises, to see that all laws, by-laws, ordinances, rules and regulations relating to the sewer are complied with.

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE UNDERSIGNED DRAIN LAYER AGREES:

1. To accept and abide by all provisions of the Rules and Regulations governing the use of sewers of the Town of Marion.
2. To notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.
3. That construction of the sewer connection will be completed within sixty (60) days of issuance of this permit.
4. Construction of the building sewer and connection to the public sewer shall comply with the plans and specifications attached hereto at Exhibit "A".

Date _____

Signed _____
(Applicant) (Property Owner)

Date _____

Signed _____
(Drain Layer)

Application approved and permit granted
BOARD OF WATER AND SEWER COMMISSIONERS

Date _____

By _____

Attachment B

Town of Marion
Department of Public Works

2 Spring Street, Marion, Massachusetts, 02738
(508) 748-3541

Application for
Private Sewer to Discharge into Town Sewer System

To the MARION DEPARTMENT OF PUBLIC WORKS,
COMMONWEALTH OF MASSACHUSETTS

I _____ hereby request a permit to operate a private
(Applicant) (Property Owner)

sewer extension located at _____
(Streets)

and connected to the public sewer system within the Town of Marion. The sewer extension serves or will
serve the following properties:

(list all Map and Parcel numbers)

(list all Map and Parcel numbers)

1. Total number of sewer connections: _____ Residences _____ Commercial/Industrial _____ Total
Number currently connected: _____ (attach list of properties currently connected)

2. Describe method of determining or allocating future connections:

3. The name, address, and telephone number of the person or firm who will operate the system
is: _____

24-hour phone number for the person is _____

Backup emergency contact name and telephone number is _____

Sewer Use Regulations

4. Plans and specifications for the private sewers and building sewers are attached hereto as Exhibit "A".
5. There is no application fee.
6. Applicant and property owner(s) are responsible for obtaining any additional permits that may be required for the sewer connection, such as from the Massachusetts Department of Environmental Protection (DEP). Attach DEP permit, or permit application with date filed, to this application.

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE UNDERSIGNED SEWER EXTENSION AGREES:

1. To accept and abide by all provisions of the Rules and Regulations governing the use of sewers of the Town of Marion, and all other pertinent rules and regulations that may be adopted in the future.
2. To maintain the sewer(s) at no expense to the Town of Marion.
3. That the Town of Marion shall have access at all reasonable hours, to said premises, to see that all laws, by-laws, ordinances, rules and regulations relating to the sewer are complied with.
4. To obtain any permit required from Massachusetts DEP and abide by any regulations, federal or state, concerning the operation and maintenance of a sewer.

This permit is non-transferable. If the private sewer is sold or transferred, the new owner(s) must apply for a discharge permit. If the contact person and/or telephone number change, the owner must notify the Town in writing with new information.

Date _____

Signed _____
(Applicant) (Property Owner)

Application approved and permit granted
BOARD OF WATER AND SEWER COMMISSIONERS

Date _____

By _____

Attachment C

**Town of Marion
Department of Public Works**

2 Spring Street, Marion, Massachusetts, 02738
(508) 748-3541

**Sewer Connection Application for
Industrial User**

To the MARION SEWER DEPARTMENT,
COMMONWEALTH OF MASSACHUSETTS

I _____ hereby request a permit to install and connect the
(Applicant) (Industry Owner) (Property Owner)

property located at _____
(Number) (Street)

to the public sewer system within the Town of Marion. The property is an industrial facility specializing
in the manufacture of _____.

1. A plan of the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit "A."
2. Plans and specifications covering any work proposed to be performed under this permit are attached hereunto as Exhibit "B."
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, and representative analyses, are attached hereunto as Exhibit "C."
4. The estimated number of full time employees at the premises is _____.
5. The estimated number of part time employees at the premises is _____.
6. The name, address and license number of the person or firm who will perform the proposed work is _____

_____.
7. The Standard Industrial Classification (SIC) number for the business is _____.
8. An application fee for \$ _____ is attached to this application.

Sewer Use Regulations

9. Property owner is responsible for obtaining any additional permits that may be required for the sewer connection, such as from the Massachusetts Department of Environmental Protection (DEP). Attach DEP permit, or permit application with date filed, to this application.

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE UNDERSIGNED
COMPANY OWNER AGREES

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the Superintendent.
2. To accept and abide by all provisions of the Rules and Regulations governing the use of sewers of the Town of Marion, and of all other pertinent rules and regulations that may be adopted in the future.
3. To operate and maintain any waste pretreatment facilities, as may be required as a condition of the acceptance into the public sewer of the industrial waste involved, in an efficient manner at all times, and at the applicant's expense.
4. To cooperate at all time with the Town of Marion, and its representatives in their inspection, sampling, and study of the industrial wastes, and any wastes or process waters not covered by this permit.
5. To notify the Superintendent immediately in case of any accident, negligence, or any other occurrence that occasions discharge to the public sewer of any wastes or process waters not covered by this permit.
6. For himself, his heirs, devisees and assigns, that the Town of Marion shall have access at all reasonable hours, to said premises, to see that all laws, by-laws, ordinances, rules and regulations relating to the sewer are complied with.

Sewer Use Regulations

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE UNDERSIGNED DRAIN LAYER AGREES:

1. To accept and abide by all provisions of the Rules and Regulations governing the use of sewers of the Town of Marion.
2. To notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.
3. That construction of the sewer connection will be completed within sixty (60) days of issuance of this permit.
4. Construction of the building sewer and connection to the public sewer shall comply with the plans and specifications attached hereto at Exhibit "B".

Date _____

Signed _____
(Applicant) (Industry Owner) (Property Owner)

Date _____

Signed _____
(Drain Layer)

Application approved and permit granted
BOARD OF WATER AND SEWER COMMISSIONERS

Date _____

By _____

Attachment D

Town of Marion
Department of Public Works

2 Spring Street, Marion, Massachusetts, 02738
(508) 748-3541

Drain Layer License Application

To the MARION SEWER DEPARTMENT,
COMMONWEALTH OF MASSACHUSETTS

1. Company Name _____
2. Address _____

3. Telephone No. _____
4. Fax. No. _____
5. The following items must be submitted to the Board with this application:
 - List of all communities currently licensed in as a Drain Layer
 - Reference list of municipal officials (in licensed communities) familiar with your work. Include name, address and telephone number.
 - Last ten (10) installations with contact references.
 - List of construction equipment currently owned.
 - Number of employees.
 - Average number of installations performed annually.
 - Any additional information that may be appropriate for consideration by the Board of Water and Sewer Commissioners.
6. A \$150 application fee accompanies this application.

Sewer Use Regulations

IN CONSIDERATION OF THE GRANTING OF THIS LICENSE, THE UNDERSIGNED DRAIN LAYER AGREES:

1. To accept and abide by all provisions of the Rules and Regulations governing the use of sewers of the Town of Marion.
2. To notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.
3. To supervise and be responsible for all work performed under this license.
4. I understand that a cash deposit or certified check shall be made payable to the Town of Marion in the amount of \$300 per permit up to a maximum of \$1,500 prior to commencement of any work. Said cash deposit or certified check shall be refunded by June 1st of the following calendar year. Upon notification by the Board that deficiencies exist for any work undertaken during the immediately preceding 18-month period, failure by the licensee to remedy said deficiencies within twenty-four (24) hours of notification by the Board, shall result in the Board authorizing others to remedy the deficiencies. The amount incurred to make corrections shall be deducted from the deposit and forfeited by the licensee.
5. Any violation of the conditions of this license or of the Rules and Regulations governing the use of sewers of the Town of Marion by the Drain Layer shall subject the licensee to a one (1) year license suspension.

Date _____

Signed _____
(Drain Layer)

Application approved and license granted
BOARD OF WATER AND SEWER COMMISSIONERS

Date _____

By _____

Authorized License No. _____